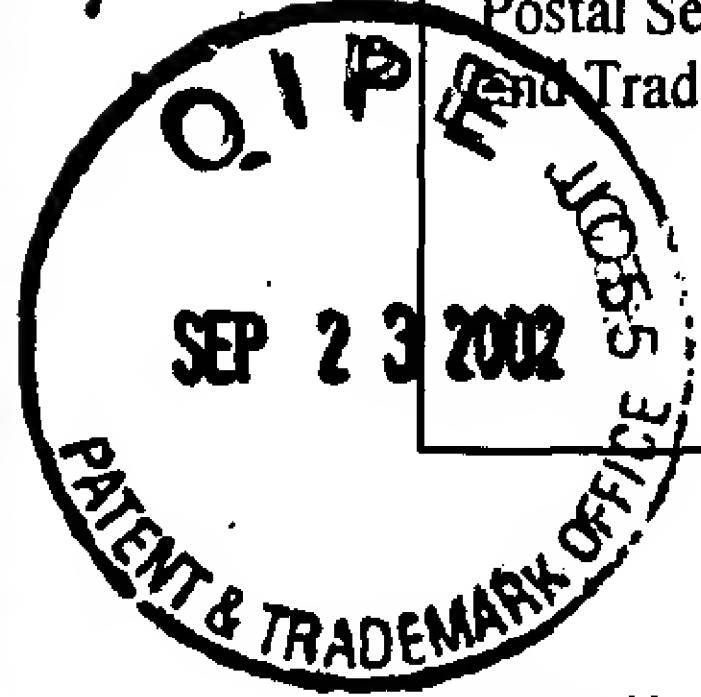


VIA FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the U.S. Postal Service via first class mail in an envelope addressed to the U.S. Patent and Trademark Office on September 16, 2002.

Laurie Olds
FULBRIGHT & JAWORSKI LLP



LUD 5460.4 CIP - NDH (09807811) 1600
8 AF

#39
GND

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Applicant(s) : Alexander, et al.
Serial No : 09/165,546
Filed : October 2, 1998
For : ISOLATED PEPTIDES CORRESPONDING TO AMINO ACID SEQUENCES OF NY-ESO-1...
Art Unit : 1644
Examiner : A. Decloux

SEP 30 2002
TECH CENTER 1600/2900

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated March 14, 2002 of the Primary Examiner finally rejecting claims 74, 75, 78, 85, and 87.

Appeal Fee of \$160.00 by a small entity, or \$320.00 by other than a small entity

- Not required. (Fee paid in prior appeal in this application without a decision by the Board of Patent Appeals and Interferences.)
- Charge to Deposit Account No. 500624 . (One additional copy of this Notice enclosed herewith.)
- Enclosed. If additional fee required, charge to Deposit Account No. 500624 . (One additional copy of this Notice enclosed herewith.)

09/25/2002 AWONDAF1 00000044 09165546

01 FC:119

320.00 0P

FULBRIGHT & JAWORSKI LLP

norman d. hanson
Norman D. Hanson
Reg. No. 30,946

Date: September 16, 2002

25209140.1